



Chief Constables' Council

Minutes of the meeting held on Friday, 17 January 2014

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Force/organisation:

ACPO

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1. ATTENDANCE

1.1 Present

CC Sir Hugh Orde	President
CC Nick Gargan	Avon and Somerset
CC Colette Paul	Bedfordshire
CC Simon Parr	Cambridgeshire
CC Dave Whatton	Cheshire
AC Ian Dyson	City of London
CC Jacqui Cheer	Cleveland
CC Bernard Lawson	Cumbria
CC Mick Creedon	Derbyshire
CC Shaun Sawyer	Devon and Cornwall
CC Debbie Simpson	Dorset
CC Mike Barton	Durham
T/DCC Carl Langley	Dyfed Powys
CC Stephen Kavanagh	Essex
CC Suzette Davenport	Gloucestershire
CC Sir Peter Fahy	Greater Manchester
T/ACC Paul Symes	Gwent
CC Andy Marsh	Hampshire
CC Andy Bliss	Hertfordshire
CC Justine Curran	Humberside
CC Alan Pughsley	Kent
CC Steve Finnigan	Lancashire
CC Simon Cole	Leicestershire
CC Neil Rhodes	Lincolnshire
CC John Murphy	Merseyside
AC Mark Rowley	Metropolitan Police
CC Mark Polin	North Wales
CC Simon Bailey	Norfolk
CC Adrian Lee	Northamptonshire
T/DCC Steve Ashman	Northumbria
CC Dave Jones	North Yorkshire
CC Chris Eyre	Nottinghamshire
CC Peter Vaughan	South Wales
CC David Crompton	South Yorkshire
CC Michael Cunningham	Staffordshire
CC Douglas Paxton	Suffolk
CC Lynne Owens	Surrey
CC Martin Richards	Sussex
CC Sara Thornton	Thames Valley
CC Andy Parker	Warwickshire
CC David Shaw	West Mercia
CC Chris Sims	West Midlands
CC Mark Gilmore	West Yorkshire

1. ATTENDANCE (cont.)

1.1 Present

CC Patrick Geenty	Wiltshire
CC Andy Trotter	British Transport Police
CC Mike Griffiths	Civil Nuclear Constabulary
CC Alfred Hitchcock	Ministry of Defence
CC Keith Bristow	National Crime Agency
CC Alex Marshall	Chief Executive, College of Policing
Mr Ian Readhead	Chief Executive, ACPO

1.2 In attendance

Marie Daniels	ACPO Chief of Staff
Tracy Edwards	Staff Officer to the ACPO President
Hayley Court	ACPO Senior Press Officer
Jack Hart	ACPO Assistant Public Affairs Officer
Sherry Traquair	ACPO Freedom of Information Officer
Richard Hampson	ACPO Programme Support Officer
Rose de la Cuesta	ACPO Office Manager

1.3 In attendance for specific items

DCC Francis Habgood	Thames Valley
DCC Paul Crowther	British Transport Police
ACC Stuart Williams	NPoCC
Phil Gormley	National Crime Agency
Johnny Gwynne	National Crime Agency

OPEN SESSION

2. WELCOME AND APOLOGIES

- 2.1 Apologies were received from: Sir Bernard Hogan-Howe, Mr Mackey, Ms Dick, Mr Byrne, Mr Allison, Mr Baggott, Ms Sim, Mr Farrar, Mr Prince and Mr House.

3. MINUTES OF THE PREVIOUS MEETING

- 3.1 The Minutes of the meeting held on 18 October 2013 were agreed as a true record.

4. MATTERS ARISING

4.1 Action log: Status report

- 4.1.1 Members noted and agreed the Council Action Log.

[Secretary's note: An amendment has been made to item 16 of the Action Log to include a further update regarding the Job related Fitness Testing Guidance].

5. STANDING ITEMS

5.1 Presidential Update

- 5.1.1 The President congratulated Mr Pughsley, Mr Rhodes, Mr Bailey and Mr Farrar on their recent appointment as Chief Constables.
- 5.1.2 The deadline for nominations for the 2015 New Years' Honours List has been extended and the President encouraged those present to put forward nominations. The President congratulated all those who had been honoured in the 2014 list, which included Mr Cole, Mr Parr and Ms Simpson, all of whom received the Queen's Police Medal (QPM).

- 5.1.3 The President highlighted the value of providing evidence on national policing issues at UK Parliament Select Committees and encouraged chief officers to attend if the opportunity were to arise. The ACPO Communications Office would be on hand to support chief officers who wished to provide evidence at future committee meetings.
- 5.1.4 The President attended the Joint Central Committee meeting on the 13 January, also present were the Secretary of State for Home Affairs, Mr Mark Sedwill, Permanent Secretary and Ms Mary Calam, the new Director General of the Crime and Policing Group both from the Home Office. The meeting discussed the issue of who might be considered appropriate to lay a wreath on the Cenotaph Memorial on behalf of the police service and the use of uniforms by HMIC officers whilst attending public events. The President clarified that there had been no objections raised at any time for Her Majesty's Chief Inspector of Constabulary (HMCIC) to attend, but there was a need to establish who might be considered appropriate to lay a wreath.
- 5.1.5 The President advised that he was still awaiting a response to his letter to the HMIC regarding the use of s.38 of the Police Reform and Social Responsibility Act 2011 and he undertook to write a further letter to the Home Secretary seeking clarity on this issue.

Action: President

- 5.1.6 A Freedom of Information Act request has been made to a number of police forces across the country regarding the introduction of Fixed Penalty Notices (FPN) for taking children out of schools during term time. The Federation had asked that clarity be sought as police officers had been instructed to only take annual leave during term time as this would affect resources in holiday periods should forces be tasked to respond operationally. The President agreed to write a letter on this issue to the Secretary of State for Education.

Action: President

- 5.1.7 The HMCIC was keen to seek the views of Chief Constables' Council regarding budget and inspections. Members expressed concerns over the volume of inspections currently being undertaken by the HMIC and agreed that there was a need to discuss these issues; in particular the top slicing of forces to fund direct entry schemes and the allocation of a significant amount of the police grant to the IPCC, against the backdrop that forces had not been included in any consultation.
- 5.1.8 Members suggested that a joint letter with the APCC be drafted regarding the impact that these issues were having on forces and recognised the importance of having further discussions with the Home Office. Mr Gargan advocated the value of developing an evidence case study in securing the support of PCCs and requested that Members feed the necessary details to the Finance and Resources Business Area so that a business case could be developed.

Action: Members/Mr Gargan

5.2 Professional Committee Update

- 5.2.1 Mr Marshall introduced a paper which provided an update on the decisions made at the Professional Committee meeting held on 13 November 2013 and the College of Policing (CoP) Board meeting which took place on 25 November 2013. A paper detailing decisions made at the last Professional Committee meeting on the 15 January 2014 was also circulated at the meeting.
- 5.2.2 Mr Marshall advised that a programme of work was currently being developed through the Professional Committee and that the College was still forming its senior team; all senior posts would be advertised externally.

- 5.2.4 Mr Cole added that a three-year programme exploring 'what works' in local policing within and outside the UK was being developed along with a body of evidence and tactical options which decision-makers could draw upon. This would include a work-stream of increasing public participation and engagement. An Anti-Social Behaviour (ASB) national guidance to support local training delivery on the ASB, Crime and Policing Bill was currently at report stage in the House of Lords and it was anticipated the Bill would gain Royal Assent in the spring.
- 5.2.5 Ms Owens raised concerns over the content and structure of the Strategic Command Course (SCC) and suggested that an urgent meeting with wider representatives was required in order to progress this work further. It was confirmed that Mr Trotter and Ms Owens had taken on director roles on the SCC.
- 5.2.6 Members noted the update.

Items for information

6. SPECIAL MEETING OF HMIC'S CRIME AND POLICING MONITORING GROUP (CPMG)

- 6.1 Mr Finnigan advised that the HMIC was hosting a Crime and Policing Monitoring Group (CPMG) meeting on 30 January 2014. Members were encouraged to attend or send a representative, as discussions would involve the HMIC's approach to monitoring forces, the new inspection regime, distinguishing trends in crime, reducing and preventing crime and the wider police performance across England and Wales. Those present were also advised that PCCs would be invited.
- 6.2 Mr Finnigan advocated the need to contextualise the HMIC's view on 'Volume Crime' and develop a consolidated response for the 30 January CPMG meeting, which should include inhibiting factors that may have affected the Service's capacity and capability to tackle certain crime trends and which in turn may have impacted current crime statistics. Whilst there were potentially numerous factors with varying degrees of complexity, factors such as austerity measures which in turn have affected force resources, benefit reform, mutual aid provisions, declining pro-activity and the changing nature of demand needed to be highlighted.
- 6.3 Mr Habgood reiterated the need for a consolidated police response with particular emphasis on the breadth of the mission and overall complexity of policing. There was a need to highlight the scale of cuts to police officers and staff on a national level and the implications of having a further 30,000 cuts to police officers next year. Some PCCs have recognised the potential risks involved and there was therefore an urgent need to encourage Government to think about the priority they apply to policing. It was reported, however, that despite declining resources, the level of public satisfaction with the police service remained high.
- 6.4 HMI Roger Baker had drafted an agenda, which had been divided into three directions: namely, investigating offending, public protection and crime investigations and there was a need to explore what success might look like in these areas. Mr Habgood would be circulating a briefing paper prior to the 30 January to help capture key points on national issues.
- Action: Mr Habgood**
- 6.5 Members emphasised the constraints being placed on the Service as a result of the volume of force inspections being conducted and agreed that there was a need to articulate the risks and the breadth of the mission, as these contained complexities and seriousness that could not possibly be captured in any crime statistics.
- 6.6 Members noted the update.

Item for discussion

7. REQUESTS TO FORCES FOR FUNDING INITIATIVES AND CROSS BORDER OPERATIONS

- 7.1 Mr Whatton introduced a paper which advised on the development for a consistent process mechanism for requesting forces to provide funding for operations and initiatives developed out of national policing work.
- 7.2 The President advised that requests of this nature were previously dealt with by ACPO Cabinet and that its funding used to be centrally allocated by ACPO Headquarters. Members pointed out that certain operations, such as Operation Shrewd, would not be suitable for this type of funding mechanism and requested the development of a national matrix highlighting on-going operations and detailing which operations were being financially supported by forces. The President also requested that a review paper be developed with Ms Paul and that a further update be tabled at Council in due course.

Action: Mr Whatton/Ms Paul/ Mr Williams

- 7.3 Members noted the update.

Items for decision

8. BUSINESS CRIME RECORDING

- 8.1 Mr Murphy introduced a paper which sought Members' approval for the adoption of a standard business crime definition and recording/tagging process.
- 8.2 Members were requested to support the following:
- i. Agree and sign off the national definition of 'Business Crime'
 - ii. Agree that the national definition is adopted by all forces
 - iii. That all forces agree to 'tag' business crime records by April 2015
 - iv. Progress of work with the College of Policing to develop NCALT and any online training requirements
 - v. That all forces agree to appoint a 'Business Crime' Intelligence SPOC.
- 8.4 Some members expressed concerns over the number of different tags already being enforced in certain forces and queried its overall benefits. Members further reported that some forces currently did not have adequate systems in place to comply with the proposed tagging process.
- 8.5 Members however recognised that this was a step in the right direction and agreed the recommendations outlined at paragraph 6.1 of the paper and 8.2 above with the caveat that that the concerns raised be addressed in due course.

9. NATIONAL MISSING PERSONS DATABASE

- 9.1 Mr Geenty introduced a paper which requested Members' approval for the development of a business case for a national missing person's database and sought their views on the preferred method of funding.

- 9.2 Mr Geenty highlighted that a commercial company could develop the database on behalf of the police service in return for promotion or PR. Members recognised that a lack of coordination could potentially place the Service in an invidious position and that the risks involved were significant, given the volume of cross-border movement and that many children were constantly being relocated to homes around the country.
- 9.3 Members however requested that a decision be deferred until there was sufficient detail surrounding costs and it was suggested that written submissions be made to Mr Geenty in the interim.

Action: Members

10. MoU BETWEEN UK DISASTER VICTIM IDENTIFICATION (DVI) UNIT AND THE FOREIGN AND COMMONWEALTH OFFICE (FCO)

- 10.1 Ms Simpson introduced a paper which sought Members' endorsement for the MoU document between DVI and the FCO.
- 10.2 Members were advised that it was appropriate that the paper included the CT element and that the paper would therefore be amended to reflect this. Members were further informed that a cadre of officers readily available for deployment, and preferably already vaccinated, were required. The costs associated with salaries for those deployed would be shared between forces and the FCO, but all other costs would be recoverable.

Action: Mr Simpson

- 10.3 Members endorsed the Disaster Victim Identification MoU with the FCO, which would also be incorporated into the DVI Strategy 2013-16.

11. APPROACHES TO RESERVISTS ACROSS THE POLICE SERVICE

- 11.1 Mr Cunningham introduced a paper which requested Members' approval for the development of a national policy around reservists within the police service.
- 11.2 Members did not support the development of a national policy, but advocated the development of a national set of principles; it was suggested that a letter be sent to the MoD stating that this was a matter for individual forces and their Chief Constables and PCCs. Mr Hitchcock undertook to assist in the drafting of the letter.

Action: Mr Cunningham/Mr Hitchcock

12. CHIEF OFFICER APPOINTMENTS AND EXECUTIVE WORKPLACE PLANNING

- 12.1 Mr Marshall introduced a paper which provided an update on the work being undertaken by the CoP to support the appointment of Chief Officers and the creation and management of a database for those working at the executive level of policing.
- 12.2 Members were requested to support the following recommendations:
- i. CoP to revise and update the Guidance for the Appointment of Chief Officers to reflect lessons learnt and provisions made in the Anti-Social Behaviour, Crime and Policing Bill
 - ii. Ensure that respective force Human Resource (HR) departments notify the CoP about planned selection dates for Chief Officer appointments
 - iii. Ensure that respective HR departments provide the College with timely and accurate information about changes within their executive team

- iv. CoP to continue offering services and provide support to PCCs and Chief Constables in the selection and appointment in accordance with the guidance for the appointment of Chief Officers as outlined in section 3 of the paper.
- 12.3 Mr Marshall thanked forces for their data returns and requested that the College be kept updated of any changes. He continued by stating that information held on the database indicated that a total of 62 Chief Officer appointments have been processed across the 43 Home Office forces of England and Wales since November 2012; 18 Chief Constables appointment processes; 44 Deputy Chief Constable (DCCs) and Assistant Chief Constable (ACCs) appointment processes. Mr Marshall drew attention to section 3 of the paper which provided an overview of the eight main different services provided by the CoP to assist PCCs and Chief Constables in making appointments.
- 12.4 Mr Marshall advised that the revised guidance for the appointment of Chief Officers would set out the roles and responsibilities of PCCs and Chief Constables and build upon the legal requirements and principles for the appointment of Chief Constables, DCCs, ACCs and equivalent ranks in the Metropolitan Police Service (MPS), as outlined in the Home Office Circular 20/2012. The guidance would also cover the responsibility of PCCs/Chief Constables in ensuring that candidates meet the eligibility criteria laid out within current legislation and the requirement for post holders above Chief Superintendent level to have completed the Senior PNAC and SCC courses. Chief Constables were asked to urge colleagues to notify the College of planned selection dates so to avoid any clashes with the appointment process, particularly around the end of the SCC.
- 12.5 Members expressed concerns over the insufficient number of applications and highlighted the importance of ensuring the fairness of the selection process.
- 12.6 Mr Marshall stated that more support would be provided to those wishing to apply across the country, but data regarding re-location was essential to the provision of this support. The College was also moving towards an executive search function.
- 12.7 Ms Owens added that in previous years it was agreed that Assistant Chief Constables (ACCs) posts would not be advertised during the SCC, as this ensured that those on the course would not be distracted by filling in application forms and/or preparing for interviews. Ms Owens agreed to work with Mr Marshall to reinstate this approach in future.
- 12.8 Members agreed the decisions contained in paragraph 6.1 of the paper, reproduced at 12.2 above.

13. PROTOCOL BETWEEN THE COLLEGE OF POLICING AND CHIEF CONSTABLES' COUNCIL

13.1 This paper was withdrawn.

14. FIREARMS LICENSING APP – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED

15. OVERVIEW OF BODY WORN VIDEO – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED

16. WINDOWS XP RISKS – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED

17. INTERNET ENABLED CHILD ABUSE – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED

18. **NATIONAL DRIVER OFFENDER RETRAINING SCHEME (NDORS) – OVERVIEW OF FUTURE GOVERNANCE ARRANGEMENTS – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED**
19. **2014 – COORDINATING NATIONAL POLICE CAPACITY, CAPABILITY AND CONTRIBUTION – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED**
20. **UNIFORMED OPERATIONS BUSINESS AREA UPDATE - SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED**
21. **THE PROVISION OF FIREARMS TRAINING TO POLICE OFFICERS BY PRIVATE COMPANIES – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED**
22. **JUDICIAL SECURITY – JUDICIAL HARASSMENT PROTOCOL – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED**
23. **MAINSTREAMING OF CYBER SKILLS – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED**
24. **EMERGENCY SERVICES MOBILE COMMUNICATIONS PROGRAMME – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED**
25. **KHAT POSSESSION FOR PERSONAL USE INTERVENTION FRAMEWORK – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED**
26. **ANY OTHER BUSINESS**

26.1 Equality, Diversity & Human Rights Business Area (EDHR) Vacancies

26.1.1 Mr Hitchcock advised that national policing leads were required for the Lesbian, Gay, Bi-sexual and Transgender (LGBT) Portfolio, Religion and Faith Portfolio and Age Portfolio and that these posts would be advertised on the ACPO Intranet site in the next couple of weeks.

Action: Mr Hitchcock

26.2 Home Office Proposals on Extremism Disruption Measures

26.2.1 Mr Fahy advised that Ministers and the Home Secretary have proposed new measures to tackle extremism with specific powers, such as the introduction of Extremism Disruption Orders, Police Dispersal Powers, and measures aimed at tackling venues facilitating extremism; a definition was also being formulated for 'extremism' and 'preaching hate'.

26.2.3 Ms Owens added that the Uniformed Operations Business Area (UOBA) was working with ACPO TAM in gathering further information from the Home Office and would provide an update to Chief Constables' Council meeting in due course.

Action: Ms Owens/Ms Dick

26.3 Mental Health Crisis Care Concordat

26.3.1 Mr Cole advised that the Mental Health Concordat would be issued and circulated by the Department of Health (DoH) on 18 February and thanked Commander Christine Jones for progressing this work. A meeting has also been scheduled with stakeholder representatives, including the Equality Commission, to discuss next steps.

26.4 Downloading Data of Closed-Circuit Television (CCTV) Systems

26.4.1 Ms Paul advised that an IPCC investigation concerning the downloading of data via CCTV systems took place in Bedfordshire Police. Ms Paul highlighted that such investigations were particularly costly for forces and it was suggested that it should be raised with the IPCC

26.5 S.38 Police Reform and Social Responsibility Act 2011 and CPOSA Updates

26.5.1 Mr Polin provided an update on the work being undertaken in relation to s.38 of the Police Reform and Social Responsibility Act 2011. Those present were informed that following further legal advice, a protocol was being developed for the consideration of the Chief Police Officers' Staff Association (CPOSA) and the Association of Police and Crime Commissioners (APCCs). The Protocol would introduce the concept and process of mediation, but its method of delivery was yet to be determined.

26.5.2 An update was provided on the CPOSA Insurance and the continuing dialogue with the APCC. The APCC commissioned an independent review of the insurance policy, but further discussions were required on areas such as the suitability of the insurance, any duplications, manner of provision and how it should be funded.

26.5.3 The Police Arbitration Tribunal (PAT) would be making a decision on compulsory severance and restricted duties in February.

26.5.4 Mr Polin and Mr Jones referred to discussions that had recently taken place at the Police Negotiating Board (PNB) concerning chief officer pay and allowances as well as to the Home Office position paper which was currently being developed, which would be shared with Members once finalised.

Action: Mr Jones

26.6 Last Meeting at Chief Constables' Council

26.6.1 The President congratulated Mr Richards on his retirement and thanked him for all his support and wished him well for the future.

26.7 Vacancy on the ACPO Board of Directors

26.7.1 The President advised that there was a vacancy for an ACC/DCC/DAC on the ACPO Board of Directors and this post would be advertised via the ACPO intranet. Members were requested to bring this to the attention of all ACC/DCC/DAC colleagues.

Action: President

27. DATE OF NEXT MEETING – SEE SEPARATE RESTRICTED AND NON-FOI DISCLOSABLE MINUTES ATTACHED